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|-------------------------------|------------------------|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                               | 09/992,596             | MANFRE ET AL.       |  |
|                               | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                               | SARA CHANDLER          | 3693                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 02/04/09.
2. ☒ The allowed claim(s) is/are 1-4, 6-9, 14, 16 and 18-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)   | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

## **DETAILED ACTION**

### ***Response to Amendment***

This Office Action is responsive to Applicant's arguments and request for continued examination of application 09/992,598 (11/14/01) filed on 2/04/09.

### ***Status of the Claims***

Claims 1, 14, 16 and 20 - 24 are currently amended. Claim 6 is original. Claims 2-4, 7-9, and 18-19 were previously presented. Claims 5, 10 -13, 15 and 17 are cancelled. Thus, claims 1-4, 6-9, 14, 16 and 18-24 are currently pending.

### ***Allowable Subject Matter***

**Claims 1-4, 6-9, 14, 16 and 18-24** are allowed, subject to the examiner's amendment described below.

## **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mark Lehi Jones, Reg. No. 63,064 on April 27<sup>th</sup>, 2009.

The application has been amended as follows: Please amend claims 1, 14, 16 and 20 – 24.

1. (Currently Amended) A computer-implemented method for processing a check transaction, the method comprising:

receiving, ~~via a~~ by one or more processors, transaction information associated with the check transaction that is transmitted by a terminal;

determining, ~~via a~~ by the one or more processors, eligibility of the transaction for payment via a bank account;

when the transaction is eligible for payment via the bank account:

generating a first unique transaction identifier by the one or more processors and providing, by the one or more processors, an electronic authorization response that is transmitted to the terminal, the authorization response including a the first unique transaction identifier ~~if the transaction is eligible for payment via the bank account;~~

storing, by the one or more processors, data associated with the electronic authorization response in an authorization response file;

receiving, by the one or more processors, an electronic response packet that is transmitted by the terminal ~~if the transaction is eligible for payment via the bank account,~~ the response packet including a second unique transaction identifier comprising at least the first unique transaction identifier, and a transaction decision regarding whether or not the check transaction is to proceed with payment via the bank account; and

storing, by the one or more processors, data associated with the electronic response packet in a response packet file;

comparing, ~~via a~~ by the one or more processors, the response packet file with the authorization response file prior to settling the transaction; and

settling, by the one or more processors, the transaction when data in the response packet file matches data in the authorization response file.

14. (Currently amended) A computer system to process a check transaction initiated by a terminal, the computer system comprising:

a memory that stores computer-executable instructions;

a processor in communication with the memory, wherein the processor is configured to execute the computer executable instructions to:

receive transaction information associated with a check transaction that is transmitted by a terminal;

~~determine, via a processor,~~ eligibility of the check transaction for payment via a bank account;

when the transaction is eligible for payment via the bank account:

generate, a first unique transaction identifier ~~via a processor;~~

provide an electronic authorization response that is communicated to the terminal, the authorization response including a the first unique transaction identifier ~~if the transaction is eligible for payment via the bank account;~~

store data associated with the electronic authorization response in an authorization response file;

~~receive, via a processor,~~ an electronic response packet provided by the terminal ~~if the transaction is eligible for payment via the bank account,~~ the response packet including a second unique transaction identifier comprising at least the first unique transaction identifier, and a transaction decision regarding whether or not the check transaction is to proceed with payment via the bank account; and

store data associated with the electronic response packet in a response packet file;

~~compare, via a processor,~~ the response packet file with the authorization response file prior to settling the transaction; and

settle the transaction when data in the electronic response packet matches data in the authorization response file.

16. (Currently amended) The computer system of claim 14, wherein the computer-readable executable instructions are further operable to provide an electronic confirmation of receipt of the response packet to the terminal.

20. (Currently amended) The computer system of claim 14 wherein the computer-readable executable instructions are further operable to determine eligibility based on rules of one of an authorization host and a financial institution.

21. (Currently amended) The computer system of claim 14 wherein the computer-readable executable instructions to determine eligibility include instructions for determining if funds exist in the bank account.

22. (Currently Amended) A computer-implemented method for processing a check transaction, the method comprising:

receiving, ~~via a~~ by one or more processors, transaction information associated with the check transaction that is transmitted by a terminal;

determining, ~~via a~~ by the one or more processors, eligibility of the transaction for payment via a bank account, wherein determining eligibility is based at least in part on rules provided by either an authorization host or a financial institution;

when the transaction is eligible for payment via the bank account:

generating a first unique transaction identifier by the one or more processors and providing, by the one or more processors, an electronic authorization response that is transmitted to the terminal, the authorization response including a the first unique transaction identifier ~~when the transaction is determined to be eligible for payment via the bank account;~~

storing, by the one or more processors, data associated with the electronic authorization response in an authorization response file;

receiving, by the one or more processors, an electronic response packet that is transmitted by the terminal ~~when the transaction is eligible for payment via the bank account~~, the response packet including a second unique transaction identifier comprising at least the first unique transaction identifier, and a transaction decision regarding whether or not the check transaction is to proceed with payment via the bank account;

storing, by the one or more processors, data associated with the electronic response packet in a response packet file; and

receiving, by the one or more processors, a settlement request from the terminal or a merchant host;

comparing, by the one or more processors, the response packet file with the authorization response file prior to settling the transaction; and

settling, by the one or more processors, the transaction in response to the settlement request when data in the response packet file matches data in the authorization response file.

23. (Currently Amended) A computer-implemented method for processing a check transaction, the method comprising:

receiving via a by one or more processors, transaction information associated with the check transaction that is transmitted by a terminal;

determining, via a by the one or more processors, eligibility of the transaction for payment via a bank account;

upon determining the transaction is eligible for payment via the bank account;

generating a first unique transaction identifier by the one or more processors and providing, by the one or more processors, an electronic authorization response that is transmitted to the terminal, the authorization response including a the first unique transaction identifier;

storing, by the one or more processors, data associated with the electronic authorization response in an authorization response file;

upon determining the transaction is eligible for payment via the bank account;

receiving, by the one or more processors, an electronic response packet that is transmitted by the terminal, the response packet including a second unique transaction identifier comprising at least the first unique transaction identifier, and a transaction decision regarding whether or not the check transaction is to proceed with payment via the bank account; and

storing, by the one or more processors, data associated with the electronic response packet in a response packet file;

comparing, by the one or more processors, the response packet file with the authorization response file prior to settling the transaction; and

settling, by the one or more processors, the transaction when data in the response packet file matches data in the authorization response file.

24. (Currently amended) A computer-implemented method for processing a check transaction, the method comprising:

receiving, ~~via a~~ by one or more processors, transaction information associated with the check transaction that is transmitted by a terminal;

determining, ~~via a~~ by the one or more processors, eligibility of the transaction for payment via a bank account, wherein determining eligibility is based at least in part on rules provided by either an authorization host or a financial institution;

upon determining the transaction is eligible for payment via the bank account;

generating a first unique transaction identifier by the one or more processors and providing, by the one or more processors, an electronic authorization response that is transmitted to the terminal, the authorization response including a the first unique transaction identifier;

storing, by the one or more processors, data associated with the electronic authorization response in an authorization response file;

~~upon determining the transaction is eligible for payment via the bank account;~~

receiving, by the one or more processors, an electronic response packet that is transmitted by the terminal, the response packet including a second unique transaction identifier comprising at least the first unique transaction identifier, and a transaction decision regarding whether or not the check transaction is to proceed with payment via the bank account;  
and

storing, by the one or more processors, data associated with the electronic response packet in a response packet file;

comparing, by the one or more processors, the response packet file with the authorization response file prior to settling the transaction;

receiving, by the one or more processors, a settlement request from the terminal or a merchant host; and

settling, by the one or more processors, the transaction in response to the settlement request from the terminal or a merchant host when data in the response packet file matches data in the authorization response file.

***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

The closest prior art of record is Templeton, US Pat. No. 5,679,938 and Nichols, US Pub. No. 2001/0037299.

Templeton teaches a check acceptance system providing interactive authorizations and off-line terminal approvals. In Templeton, interactive check authorizations are provided by communicating a first transaction packet from a transaction terminal to a authorization host system. The authorization host system then determines whether to authorize or decline the transaction, and communicates corresponding authorization indicia including an approval code to the transaction terminal.

Nichols teaches a point of sale system designed to read information from a consumer's check, credit card, or manual input with a subsequent debiting of the consumer's account and crediting the merchant's account for the goods or services provided. In Nichols, the point-of-sale may communicate information to the central computer system. The central computer system may verify whether the account may or may not be relied upon for consummating (i.e., approval, denial) a transaction event. The point-of-sale may communicate with the central computer regarding correction (i.e.,



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void, credit). Thus, events previously approved and subsequently voided are identified.

Nichols also described the settlement of funds representing the transaction event.

As suggested in applicant's remarks, (02/04/09), the claimed invention is distinct from the prior art because:

The Office Action states: "Templeton fails to explicitly disclose storing the authorization response in an authorization response file, storing the response packet in a response packet file, and comparing the response packet file with the authorization response file prior to settling the transaction. *Nichols*" discloses storing the authorization response in an authorization response file, storing the response packet in a response packet file, and comparing the response packet file with the authorization response file prior to settling the transaction (Fig. 3, [0023] [0033]-[0034] [0055] - [0059])"

Agent for Assignee submits that *Nichols*" does not teach or suggest the elements: "storing the electronic authorization response in an authorization response file; storing the electronic response packet in a response packet file; comparing, via a processor, the response packet file with the authorization response file prior to settling the transaction; and settling the transaction when data in the response packet file matches data in the authorization response file." In particular, the cited references (Fig. 3, [0023] [0033]-[0034] [0055] - [0059] in *Nichols*) at most, discuss only in general terms, the structure, operation, and process of a transaction database, but none of these citations teach or suggest a process for "obtaining electronic confirmation to debit bank accounts so that multiple debits for the same transaction may be reduced or eliminated" (See Applicants' specification paragraph [0007]). For example: Fig. 3 in *Nichols*" shows only a block diagram including a block labeled "Outside Databases", but there is no structure or suggestion showing storage or comparison of an authorization response and response packet.

Paragraph [0023] discusses accessing positive and negative files for determining credit risk, but does not address confirmation. Paragraph [0033] recites the elements of a communication network and a general database; paragraph [0034] recites a process for approval, and states that the databases are continuously maintained; paragraph [0055] discusses the point-of-sale terminal; paragraph [0056] discusses the central computer and the general use of the database; paragraph [0057] covers the most detail, mentioning that settlement inquiries are converted, and reasons for rejection are retained, but again, there is no teaching or suggestion showing storage or comparison of an authorization response and response packet. Paragraph [0058] recites a process for approving a transaction event, and paragraph [0059] addresses credit worthiness.

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To the contrary, *Nichols*', paragraph [0019] states in part: "Subsequent to a transaction event's being 'Approved', funds are debited from an authorized consumer account..." Therefore, *Nichols*" teaches away from the process for "obtaining electronic confirmation to debit bank accounts so that multiple debits for the same transaction may be reduced or eliminated."

In summary, neither *Templeton* or *Nichols*', alone or in combination with each other teach or suggest at least the elements "storing the electronic authorization response in an authorization response file; storing the electronic response packet in a response packet file; comparing, via a processor, the response packet file with the authorization response file prior to settling the transaction; and settling the transaction when data in the response packet file matches data in the authorization response file." For at least the reasons provided above, amended independent claims 1, 14, 22, 23, and 24 should be allowable over the cited references.

Claim 1 is allowed because the closes prior art of record, *Templeton* and *Nichols*, alone or in combination, fails to teach, suggest or otherwise render obvious all the limitations required of a computer-implemented method for processing a check transaction, the method comprising:

*receiving, by one or more processors, transaction information associated with the check transaction that is transmitted by a terminal;*

*determining, by the one or more processors, eligibility of the transaction for payment via a bank account;*

*when the transaction is eligible for payment via the bank account:*

*generating a first unique transaction identifier by the one or more processors and providing, by the one or more processors, an electronic authorization response that is transmitted to the terminal, the authorization response including the first unique transaction identifier;*

*storing, by the one or more processors, data associated with the electronic authorization response in an authorization response file;*

*receiving, by the one or more processors, an electronic response packet that is transmitted by the terminal, the response packet including a second unique transaction identifier comprising at least the first unique*

*transaction identifier, and a transaction decision regarding whether or not the check transaction is to proceed with payment via the bank account; and*

*storing, by the one or more processors, data associated with the electronic response packet in a response packet file;*

*comparing, by the one or more processors, the response packet file with the authorization response file prior to settling the transaction; and*

*settling, by the one or more processors, the transaction when data in the response packet file matches data in the authorization response file.*

Independent claims 14 and 22-24 are allowable based on a similar rationale.

Dependent claims are allowable based on the same rationale as the claims from which they depend.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SARA CHANDLER whose telephone number is (571)272-1186. The examiner can normally be reached on 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SMC

/JAGDISH N PATEL/  
Primary Examiner, Art Unit 3693